

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PODIATRIC OR OF MIDTOWN
MANHATTAN, P.C., *et al.*,
Plaintiffs,

-v-

UNITEDHEALTH GROUP, INC., *et al.*,
Defendants.

20-CV-9333 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

On July 1, 2016, Plaintiff Podiatric OR of Midtown Manhattan, P.C. (“Podiatric OR”), along with other parties, filed a class action complaint against Defendants UnitedHealth Group Inc., United HealthCare Services, Inc., United HealthCare Insurance Company, United HealthCare Service LLC, Optum Group, LLC, Optum, Inc., and Oxford Health Plans LLC (collectively, “United”). This Court dismissed Podiatric OR from the suit based on the presence of anti-assignment clauses in the relevant plans. *See Medical Soc’y of N.Y. v. UnitedHealth Grp. Inc.*, No. 16 Civ. 5265, 2017 WL 4023350, at *7 (S.D.N.Y. Sept. 11, 2017). The remaining plaintiffs continued the suit and obtained class certification, and the case eventually proceeded to trial. After a five-day bench trial, the Court found in favor of United on both counts in the suit. *See Medical Soc’y of N.Y. v. UnitedHealth Grp. Inc.*, No. 16 Civ. 5265, 2022 WL 4234547 (Sept. 14, 2022).

Based on the findings and conclusions of the Court in the *Medical Society* class action, Plaintiffs’ ERISA claims necessarily fail in this case. The Court declines to exercise supplemental jurisdiction over the state law claims, which are dismissed without prejudice to filing in state court. *See* 28 U.S.C. § 1367(c).

Accordingly, Defendants’ motion to dismiss is GRANTED.

The Clerk of Court is directed to terminate the motion at Docket Number 30 and to close this case.

SO ORDERED.

Dated: September 22, 2022
New York, New York



J. PAUL OETKEN
United States District Judge